



# CAMBRIDGE LICENSE COMMISSION

831 MASSACHUSETTS AVE, CAMBRIDGE, MA 02139

NICOLE MURATI FERRER  
CHAIRPERSON | BOARD MEMBER

CHRISTINE A. ELOW  
POLICE COMMISSIONER | BOARD MEMBER

THOMAS CAHILL, JR.  
FIRE CHIEF | BOARD MEMBER

## BOARD OF LICENSE COMMISSIONERS' MEETING MINUTES

Wednesday, December 14, 2022, 11:00 a.m.

By Remote Participation

*This meeting was held remotely in accordance with Chapter 107 of the Acts of 2022 signed into law on July 16, 2022.*

**Board Members All Present:** Nicole Murati Ferrer, Christine A. Elow, and Thomas Cahill, Jr.

**Staff Member Present:** Dana Clarke, Office Manager.

**Decisions:** All votes were by roll call vote, 3-0, unless otherwise stated.

### Public Testimony Matters

**1. Consideration of 2023 Renewal Application #11498** McCabe's Porter d/b/a Shine Square Pub, 2046 Massachusetts Avenue, Common Victualler All Alcohol with Entertainment License. *Matter will be removed from agenda if corrective application is filed prior to the hearing date and time.*

**Documents Considered:** Application and documents attached thereto; file; and application #205169.

**Summary:** Taken off the agenda. A corrective application was filed and completed 12/14/22.

**Decision:** Renewal application approved/approval ratified.

**2. Consideration of 2023 Renewal Application #43948** Umami, Inc. d/b/a Umami, 2372 Massachusetts Avenue, Common Victualler Malt and Wine with Entertainment License. *Matter will be removed from agenda if corrective application is filed prior to the hearing date and time.*

**Documents Considered:** Application and documents attached thereto; and application #204804.

**Summary:** Taken off the agenda. A corrective application was filed on 12/12/22.

**Decision:** Renewal application approved/approval ratified.

**3. Consideration of 2023 Renewal Application #11392** Museum of Science, 1 Science Park, Common Victualler All Alcohol with Entertainment License. *Matter will be removed from agenda if corrective application is filed prior to the hearing date and time.*

**Documents Considered:** Application and documents attached thereto; file; and application #205139.

**Summary:** Taken off the agenda. A corrective application was filed on 12/13/22. In this case, unlike any other licensee, this one straddles both Boston and Cambridge and hence has a license from each. They had made the required changes for the Boston part of the license but not Cambridge.

**Decision:** Renewal application approved/approval ratified.

**4. Application #203971** Massachusetts Institute of Technology d/b/a The Thirsty Ear, 235 Albany Street, Malt and Wine Educational License #11703, for a Change of Manager to Michael Grenier.

**Present:** Michael Grenier.

**Documents Considered:** Application and documents attached thereto.

**Summary:** Has about 30 years experience in the industry; 12 of those years at Colonial Theater and others in the Theater District in Boston. Also worked at restaurants in Connecticut with full liquor licenses (family businesses). Has been at MIT managing The Thirsty Ear and Muddy Charles since 2008. Has been the manager of record on a liquor license before in Boston with no disciplinary issues with the local board or the ABCC. Is familiar with the rules and regulations of the Board, the ABCC and the laws of the Commonwealth of Massachusetts with regard to the sale and service of alcohol and has received training in the safe sale and service of alcohol. Will provide TIPS and Serve Safe certificates via email.

**Decision:** Granted.

**5. Application #203967** Massachusetts Institute of Technology d/b/a The Muddy Charles, 142 Memorial Drive, Malt and Wine Educational License #11706, for a Change of Manager to Michael Grenier.

**Present:** Michael Grenier.

**Documents Considered:** Application and documents attached thereto.

**Summary:** Incorporated by reference and made a part hereof the testimony in the previous matter.

**Decision:** Granted.

**6. Application #194139** Cinema Beverages Holding Company LLC d/b/a Kendall Square Food and Beverage Service, One Kendall Square #1900, Common Victualler Wine and Malt License #11577, for a Change of Manager to Evan Harris Miller.

**Present:** Evan Harris Miller.

**Documents Considered:** Application and documents attached thereto.

**Summary:** Has about 22 years of experience in the industry, 13 of those at the Kendall Square Theater. Has never been the manager of record on a liquor license before. If familiar with the rules and regulations of the Board, the ABCC and the laws of the Commonwealth of Massachusetts with regard to the sale and service of alcohol and has received training in the same. Will provide TIPS certification and will send the required affidavit.

**Decision:** Defer pending submission of affidavit regarding disclosed conviction.

**7. Application #202227** Madras Dosa Harvard LLC d/b/a Madras Dosa Co., 22 Eliot Street, for a New Common Victualler License with 20 seats, 24 total occupants and proposed hours of 11:00 a.m. to 3:00 a.m. all days. Koushik Babu Koganti as proposed manager of a premises described as: 800 sq. ft. fast casual restaurant with the open kitchen in the front and the prep room at the back. There is an entrance and a separate exit also.

**Present:** Uday Gummakonda.

**Documents Considered:** Application and documents attached thereto.

**Summary:** Gummakonda appeared on behalf of the owners and proposed manager. Gummakonda is the brother of Koushik Babu Koganti. Gummakonda confirmed the interest holders of the license and the proposed manager. This would be a second location, the first is at Boston Seaport area. This is a fast casual Indian crepes style restaurant. The late hours are requested to provide service to late night crowds. Notification to abutters were mailed seven days prior to the hearing.

**Decision:** Granted.

**8. Application #200348** Fornosa LLC d/b/a Roust, 148 Mount Auburn Street, has applied for a New Common Victualler License with seating for 19, a total occupancy of 30, and proposed hours of 7:00 a.m. to 3:00 p.m. all days. Chloe Sanders as Manager of a premises described as: On the first floor, 2,000 sq. ft. plus basement. First floor has front entrances and contains full cooking line, a display counter for prepared foods, a retail section and a small café with a coffee bar. There is a full basement for a rest room, manager's office and for storage.

**Summary/Decision:** Matter moved to January agenda as the applicant failed to notify abutters.

**9. Disciplinary** Consigli Construction-Specifically, it has been alleged that Consigli Construction engaged in construction activity outside of the allowable hours on Saturday October 29, 2022 at approximately 7:18 a.m., in the vicinity of 101 Cambridge Park Drive, in violation of CMC 8.16.080(f).

**Documents Considered:** Hearing notice and documents attached thereto; file; and waiver of hearing.

**Summary:** Consigli has filed a waiver a hearing admitting the violation as alleged.

**Decision:** Violation, \$300 fine.

**10. Disciplinary** Ideal Landscaping Services for alleged violations of CMC 8.16.081.1(b), 8.16.081.2(c) – operating a leaf blower without a permit (failure to adhere to June 10, 2021 Cease and Desist Order), and 8.16.081.2(e) – noise emissions rating limited to 65 dBA, at approximately 1:15 p.m. on November 14, 2022, in the vicinity of 470 Green Street.

**Present:** Investigator Tyler Bubenik.

**Documents Considered:** Hearing notice and documents attached thereto; and file.

**Summary:** Investigator Bubenik observed the use of the leaf blower and upon inspection noticed it was a RedMax EBZ8550 which has sound emissions of 77 dBA which is above the allowable 65 dBA. Knew the company as had issued a cease and desist previously. They have not yet applied for a permit.

**Decision:** Violation (2 counts), \$300 fine/count for a total \$600 fine + \$100 hearing fee.

#### Administrative Matters

*All the below listed matters were considered and voted upon by the Board without public testimony. Unless otherwise indicated, all the matters were decided upon by the individual review of the papers/applications/matter before the Board members and each member voted upon the matter. The summary of what is considered by the Board, unless otherwise indicated, is the identifying information of the matter as listed herein.*

#### **CHANGES REQUESTED DURING RENEWAL APPLICATIONS**

**11. Various Applications** President and Fellows of Harvard College d/b/a Harvard University, changed the number of rooms in various of its Lodging House Licenses:

- a. 44867 d/b/a Kirkland House-Bryan Hall, 73 to 70;
- b. 10869 d/b/a Lionel Hall, 25 to 27;
- c. 10820 d/b/a Currier House-Daniels Hall, 73 to 74;
- d. 10838 d/b/a Cabot House-Bertram Hall, 30 to 35;
- e. 10839 d/b/a Cabot House-Briggs Hall, 82 to 87;
- f. 10845 d/b/a Winthrop-Gore Hall including Beren Hall, 216 to 219;
- g. 10836 d/b/a Pforzheimer House-Wolbach Hall, 75 to 76;
- h. 44908 d/b/a Quincy House-New Residence Hall, 274 to 284;
- i. 10821 d/b/a Currier House-Gilbert Hall, 98 to 97;
- j. 10841 d/b/a Cabot House-Eliot Hall, 38 to 41; and
- k. 10837 d/b/a Cabot House-Barnard Hall, 50 to 56.

**Decision:** Approved/ratified as to all.

**12. Application #10898** Marriott Hotel Services, Inc. d/b/a Boston Marriott Cambridge, 50 Broadway, Innholder All Alcohol has updated its number of rooms from 432 to 438.

**Decision:** Approved/ratified.

**New Year's Eve extension of hours request** - on our application we specify businesses can request a maximum of a one-hour extension for alcohol service, and a maximum two-hour extension for food and entertainment. Under no circumstances can a business be approved to serve alcohol beyond 2:00 a.m.

**13. Application #161788** Washwell, LLC d/b/a Ferro's Foodtown, 336 Rindge Avenue, Malt and Wine Package Store License requested an extension of hours from 8:00 p.m. to 11:00 p.m.

**Decision:** Denied as requested. Granted 9:00 p.m. closing hour.

**14. Application #74633** Pilgrimage Holdings, LLC d/b/a The Lexington, 100 North First Street, Common Victualler All Alcohol License requested an extension of hours from 12:00 a.m. to 1:00 a.m. for alcohol and entertainment. No extension of hours sought on food.

**Decision:** Granted; may also serve food until 1:00 a.m.

**15. Application #11593** La Fabrica Central, LLC d/b/a La Fabrica, 450 Massachusetts Avenue, Common Victualler All Alcohol License requested an extension of hours from 2:00 a.m. to 3:00 a.m. for entertainment. No extension of hours sought on food.

**Decision:** Granted with the condition that there can be no admission of any new patrons after 1:30 a.m., and no new bottle service after 1:30 a.m.; may also serve food until 3:00 a.m.

**16. Application #54291** Guhanian Restaurant Group, LLC d/b/a Passage to India, 3 Glassworks Avenue, Common Victualler All Alcohol License requested an extension of hours from 1:00 a.m. to 2:00 a.m. for food, alcohol and entertainment.

**Summary:** The request is seeking an extension from 1:00 a.m. to 2:00 a.m.

**Decision:** Granted.

**17. Application #109172** Whisnant A & Maclean R d/b/a Zuzu's Petals, 204 Hampshire Street, Common Victualler Malt, Wines and Cordials/Liqueurs License requested an extension of hours from 12:00 a.m. to 1:00 a.m. for food, alcohol and entertainment.

**Decision:** Granted.

**18. Application #11567** Lamplighter Brewing Co., LLC d/b/a Lamplighter Brewing, 284 Broadway, Malt Farmer Series Pouring Permit, Common Victualler and Entertainment License

requested an extension of hours from 12:00 a.m. to 1:00 a.m. for food, alcohol and entertainment.

**Decision:** Granted.

**19. Application #11572** Sulmona Restaurant Group, LLC d/b/a Sulmona Restaurant, 608 Main Street, Common Victualler All Alcohol License requested an extension of hours from 2:00 a.m. to 3:00 a.m. for food, alcohol and entertainment.

**Decision:** Denied as requested; granted 3:00 a.m. for food and entertainment.

**20. Application #11604** Momi & Company, LLC d/b/a Momi Nomni, 1128 Cambridge Street, Common Victualler All Alcohol License requested an extension of hours from 11:00 p.m. to 1:00 a.m. for alcohol and entertainment and 12:00 a.m. for food.

**Decision:** Denied as requested. Granted 12:00 a.m. closing hour for alcohol and food, and 1:00 a.m. for entertainment; may also serve food until 1:00 a.m.

**21. Application #11463** Cambridge Cuisine, LLC d/b/a Puritan & Company, 1166 Cambridge Street, Common Victualler All Alcohol License requested an extension of hours from 12:00 a.m. to 1:00 a.m. for alcohol and 12:30 a.m. for entertainment. No extension sought for food closing hour.

**Decision:** Granted; may also operate entertainment until 1:00 a.m. and serve food until 1:00 a.m.

**22. Renewal/Amendments** Discussion whether there will be designation to Chair to vote on any New Year's Eve extension requests, one day amendments or applications, or changes to licenses received after the meeting and which must be voted upon prior to the next meeting in January 2023.

**Decision:** Chair designated to issue required Board decisions. Any ratifications will be done in January meeting.

**23. Acknowledgement** ABCC decision of appeal by Chazumba, LLC was to disapprove Board's decision of May 2, 2022 suspending the license for one day for the observations made by a Licensing Investigator on February 17, 2022. The ABCC found that at the de novo hearing there was not substantial evidence presented that the green liquid in the patrons' glasses were margaritas because the Investigator did not confirm by asking the patrons or bartender, and that the apology for the infraction and non-contention of the matter by owner Brush was insufficient.

**Decision:** Acknowledged.

**One Day License Applications**

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**24. Application #203705** Rutu, Inc. d/b/a Tanjore, 878 Massachusetts Avenue, Common Victualler All Alcohol License #132251, has requested opening at 9:00 a.m. (instead of 11:00 a.m.) on December 18 for the service of food and alcohol for the FIFA World Cup final.

**Decision:** Denied as requested. Granted opening hour of 9:00 a.m. for the service of food and entertainment, and 10:00 a.m. opening for the service of alcohol.

**25. Application #203707** Rutu, Inc. d/b/a Tanjore, 878 Massachusetts Avenue, Common Victualler All Alcohol license # 132251, has applied for an entertainment license on 12/31/22 from 9:00 p.m. – 1:45 a.m. for a New Year's party with patrons dancing, dj, live music and amplification system. Expected attendance – 95.

**Decision:** Granted pending submission of floor plan showing location of DJ and dancing area.

**26. Application #203223** Michelle Mackenzie -Superior Servers, for an all alcohol and entertainment license to be exercised at St. Anthony Parish- 400 Cardinal Medeiros Avenue, on 4/29/23 from 4:30 p.m. – 9:30 p.m. for a wedding with patrons dancing and dj. Expected attendance – 125.

**Decision:** Granted.

**27. Application #204101** Scott Fraser, on behalf of Jose Mateo Ballet Theatre, for a malt and wine and entertainment license to be exercised at 400 Harvard Street, on 12/15-12/18/22 from 2:00 p.m. – 9:00 p.m. for a performance with performers/entertainers dancing, recorded music, theatrical exhibition/play/moving picture show. Expected attendance – 95.

**Decision:** Granted with the condition that there must be a limited number of drinks (3) associated with the admission price; otherwise/thereafter, the alcohol must be sold.

**28. Application #204295** Grace Tang, on behalf of MIT Asian Dance Team, for an entertainment license to be exercised at 84 Massachusetts Avenue, on 12/14 9:00 p.m. – 11:00 p.m. & 12/15 6:00 p.m. – 8:00 p.m. and 9:00 p.m. – 11:00 p.m. for a dance showcase with performers/entertainers dancing, recorded music, amplification system and light show. Expected attendance – 180.

**Decision:** Granted.

**29. Application #204783** Pedro Morales, on behalf of Christmas Revels, for a malt and wine license to be exercised at Sanders Theatre – 45 Quincy Street, on December 15-28, 2022, from 10:00 a.m. – 10:00 p.m. for a musical theater. Expected attendance – 900.

**Decision:** Granted with the condition that police details are required.

**[Matters Considered at Meeting-Not Previously Listed on Agenda]**

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**30. Matter Taken Under Advisement December 1, 2022** Follow Up Hearing - Fresh Pond Auto Sales, Inc. (Used Car Dealer License #12774) v. City of Cambridge License Commission, et al., Middlesex Superior Court Docket No. 1981CV03873. Pursuant to Court Order, evidence will be “re-opened” to allow Fresh Pond Auto Sales to introduce expert witness live testimony or written submission of evidence related to the number of vehicles that should be permitted in the showroom at 307 Fresh Pond Parkway.

**Summary:** This matter was heard on December 1, 2022, and subsequent to the hearing, we received correspondence from Lt. Towski raising issues on the received proposal. Although there may be no issues as to the proposed amendment to the condition (20 cars v. 15), the matter should be considered with all involved parties at the hearing.

**Decision:** Continue to January 10, 2023.

**31. Application #118197** Dow Enterprises, LLC d/b/a Judy’s Bay, 279A Broadway, Common Victualler All Alcohol License has requested a New Year’s Eve extension of hours from 12:30 a.m. to 1:30 a.m. for alcohol, and 2:00 a.m. for entertainment and food.

**Decision:** Granted.

**32. Application #152986** Lamplighter Brewing Co., LLC d/b/a Lamplighter Brewing, 110 North First Street, Malt Farmer Series Pouring Permit, Common Victualler and Entertainment License requested an extension of hours from 12:00 a.m. to 1:00 a.m. for food, alcohol and entertainment.

**Decision:** Granted.

**33. Application #204572** LPGMG, Inc. d/b/a New Republik, 1172 Cambridge Street, Common Victualler All Alcohol License has requested opening at 9:00 a.m. (instead of 11:00 a.m.) on December 18 for the service of food and alcohol for the FIFA World Cup final.



**Decision:** Denied as requested. Granted opening hour of 9:00 a.m. for the service of food and entertainment, and 10:00 a.m. opening for the service of alcohol.

**34. Application #204948** Timothy Keefe for a one-day all alcoholic beverages license to be exercised at St. John's Church Hall, 2254 Massachusetts Avenue, on December 17, 2022 from 5:00 p.m. – 8:00 p.m. for a Family Christmas Party. Expected attendance - 50.

**Decision:** Granted.

**35. Matter Taken Under Advisement December 1, 2022** Application #200526 - Chad Nixon on behalf of Consigli Construction for 1/9/22 to 2/17/22, at 600 Main St, Monday through Friday from 6:00PM to 12:30AM. Using welding machines and a crane to erect a stairway inside of the building. Variance is being sought because this is a high-risk activity that cannot be performed during normal construction hours as it would be the other construction workers at risk.

**Summary:** When this was heard, there was concern that the applicant had not shown undue hardship. In addition, the Department of Public Works ("DPW") had raised some concerns that there was no need for the variance, but then additional comments seemed to have indicated otherwise. DPW did not clarify their comments to the Board. Notwithstanding, the Board discussed there was no undue hardship. The applicant stated that if the work was done during regular hours, then other crews could not work in the area on other matters. It is a scheduling issue. The installation can occur during regular hours so long as that is the only thing done at the time.

**Decision:** Denied as there is no undue hardship. The work can be completed during allowable hours.

**36. Matter Taken Under Advisement December 1, 2022** Application #201336 - Mark Petitto, on behalf of Turner Construction for 12/5/22 to 3/4/22 at 600 Binney St. from Mon to Fri (6:00PM to 6:00AM), Saturday (7:00AM to 6:00PM), Using Lull, bobcats, dumpster set up and pick-ups, scissor lift, trucks for interior demolition of walls, ceilings, flooring, MEPs inside 300 Binney. Day Care and tenants currently occupying floors 1 through 4 of 300 Binney St. Variance is being sought due to night shift work needed to perform the interior demolition work without impacting the Day Care and tenants.

**Summary:** Since the matter was heard, the applicant has provided additional information including representing that the demolition indoors will only be done with hand tools. In addition, the building envelope will remain closed with no removal of windows. Finally, the applicant agreed to remove the debris from demolition starting at 7:00 a.m. This is an occupied building with tenants, including a day care and thus the variance is required for the safety of those individuals.

**Decision:** Granted, in part, with conditions: (1) for interior demolition only with hand tools; (2) debris cannot be removed during variance hours, only during allowable hours; (3) building envelope will remain closed with no removal of windows; and (4) variance cannot be exercised on 1/2, 1/16, 2/20. Denied as to Saturdays.

**37. Application #205148** Anya Bear for an entertainment license to be exercised at Kresge Auditorium – 48 Massachusetts Avenue, on 12/18/22 from 4:00 p.m. – 6:00 p.m. for a concert with live music. Expected attendance – 500.

**Decision:** Granted.

**38. Application #205165** Rutu, Inc. d/b/a Tanjore, 878 Massachusetts Avenue, Common Victualler All Alcohol License #132251 has requested opening at 9:00 a.m. (instead of 11:00 a.m.) on December 17 for the service of food, entertainment and alcohol during a FIFA World Cup game.

**Decision:** Granted.

**39. Consideration of Meeting Minutes** October 26, 2022, November 15, 2022, and December 1, 2022.

**Decision:** Approved as to all.


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**Minutes Approved:** January 10, 2023

**Minutes Posted:** January 10, 2023

**By the Board of License Commissioners**

  
\_\_\_\_\_  
Nicole Murati Ferrer, Chair

  
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Thomas Cahill, Jr., Fire Chief

  
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Christine Elow, Police Commissioner